

**AMENDMENTS TO THE CLAIMS**

This listing of the claims replaces all prior listings and versions:

1. (Original) A method of regulating apoptosis, said method comprising introducing into a cell an RNA construct comprising a nucleotide sequence which is homologous to mRNA within said cell, wherein said mRNA includes genetic information of a gene element involved in the regulation of apoptosis.
2. (Original) A method according to claim 1 wherein said gene element is involved in the suppression of apoptosis.
3. (Currently amended) A method according to claim 1 ~~or claim 2~~ wherein said gene element is Bcl-2.
4. (Currently amended) A method according to claim 3 wherein the gene element comprises a nucleic acid molecule, or part thereof, selected from the group consisting of:
  - (i) a nucleic acid molecule as represented by Figures 6A (SEQ ID NO: 7) or 6B (SEQ ID NO:9) or a functional fragment thereof;
  - (ii) a nucleic acid molecule which hybridises to any of the nucleic acid sequences in (i) and which has siRNA activity;
  - (iii) a nucleic acid molecule which is degenerate as a result of the genetic code to the nucleic acid sequence of (i) and/or (ii) above.
5. (Currently amended) A method according to claim 1 ~~or claim 2~~ wherein said gene element is Bcl-xL.
6. (Currently amended) A method according to claim 5 wherein the gene element comprises a nucleic acid molecule, or part thereof, selected from the group consisting of:
  - (i) a nucleic acid molecule as represented by Figure 7 (SEQ ID NO:11) or a functional fragment thereof;
  - (ii) a nucleic acid molecule which hybridises to any of the nucleic acid sequences in (i) and which has siRNA activity;
  - (iii) a nucleic acid molecule which is degenerate as a result of the genetic code to the nucleic acid sequence of (i) and/or (ii) above.

7. (Currently amended) A method according to claim 1 ~~or claim 2~~ wherein said gene element is a viral homologue of a gene involved in the regulation of apoptosis.

8. (Original) An siRNA construct having a nucleotide sequence which is homologous to mRNA transcribed from a gene element involved in the regulation of apoptosis.

9. (Original) An siRNA construct according to claim 8 wherein said construct is from 15 to 25 nucleotides in length.

10. (Original) An siRNA construct according to claim 9 wherein said construct is from 19 to 23 nucleotides in length.

11. (Currently amended) An siRNA construct of ~~any of claims 8 to 10~~ claim 8 comprising;

- (i) a nucleotide sequence that is homologous to a part or fragment of the nucleic acid sequences in Figure 6A (SEQ ID NO:7) or Figure 6B (SEQ ID NO:9);
- (ii) a nucleotide sequence which is degenerate as a result of the genetic code to the nucleic acid sequence of (i) above.

12. (Currently amended) An siRNA construct according to ~~any of claims 8 to 11~~ claim 8 comprising a nucleotide sequence that is homologous to Bcl-2 mRNA nucleotides 354-372 of Figure 6a (SEQ ID NO:7).

13. (Currently amended) An siRNA according to ~~any of claims 8 to 10~~ claim 8 comprising;

- (i) a nucleotide sequence that is homologous to a part or fragment of the nucleic acid sequence in Figure 7 (SEQ ID NO:11);
- (ii) a nucleotide sequence which is degenerate as a result of the genetic code to the nucleic acid sequence of (i) above.

14. (Currently amended) An siRNA construct according to ~~any of claims 8 to 10 or claim 13~~ claim 8 comprising a nucleotide sequence that is homologous to Bcl-xL nucleotides 347-366 of Figure 7 (SEQ ID NO:11).

15. (Original) A method of treating a disease or condition associated with inappropriate apoptosis comprising administering to a subject an RNA construct wherein said

RNA construct has a nucleotide sequence which is homologous to mRNA present within a cell of said subject and wherein said mRNA includes genetic information of a gene element involved in the regulation of apoptosis.

16. (Currently amended) ~~Use of an RNA construct of any of claims 8 to 14 in the regulation of apoptosis in a cell, wherein said RNA construct has a nucleotide sequence which is homologous to mRNA within the cell and wherein said mRNA includes genetic information of a gene element involved in the regulation of apoptosis. The method of claim 15, wherein said construct comprises~~

(i) a nucleotide sequence that is homologous to a part or fragment of the nucleic acid sequences in Figure 6A (SEQ ID NO:7), Figure 6B (SEQ ID NO:9) or Figure 7 (SEQ ID NO:11);

(ii) a nucleotide sequence which is degenerate as a result of the genetic code to the nucleic acid sequence of (i) above.

17. (Currently amended) A pharmaceutical composition comprising an RNA construct according to claim 8 and a pharmaceutically acceptable excipient. An RNA construct for use as a medicament.

18. (Currently amended) ~~Use of an RNA construct for the manufacture of a medicament to induce apoptosis. The method of claim 15, wherein the RNA construct induces apoptosis.~~

19. (Currently amended) ~~Use of an RNA construct for the manufacture of a medicament for the treatment of~~ The method of claim 15, wherein the disease is colorectal cancer.

20. (Currently amended) The method of claim 15, wherein the disease is a ~~Use of an RNA construct for the manufacture of a medicament for the treatment of viral induced cancer.~~